

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,
Plaintiff,

vs.

Matthew Stefanelli,

Defendant.

Case No.21-MC-94026-TSH

**ASSENTED-TO MOTION TO EXTEND TIME WITHIN WHICH
INDICTMENT OR INFORMATION MUST BE FILED**

The United States of America, by Nathaniel R. Mendell, Acting U.S. Attorney, and Kristen M. Noto, Assistant U.S. Attorney, hereby moves the Court for an Order, pursuant to 18 U.S.C. § 3161(b) and (h)(7), that extends the time within which an indictment or information must be filed in the above-captioned case until September 10, 2021, and further moves, pursuant to 18 U.S.C. § 3161(b) and (h)(7) and §§ 5(b)(7)(B) & 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts, and with the assent of Defendant that the Court exclude from all Speedy Trial Act calculations (including any calculations made pursuant to 18 U.S.C. §3161(b)) the period from July 14, 2021 through September 10, 2021.

In support of the motion the government states:

1. Matthew Stefanelli (“Defendant”) is charged by criminal complaint with possession of child pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2). Docket 21-mj-4206-DHH.
2. Defendant was arrested on July 14, 2021 and made his initial appearance before this Court on the same date. *See* 21-mj-4206-DHH. Defendant waived his right to a

preliminary hearing and was released on conditions on July 19, 2021.

3. By the government's calculation, pursuant to 18 U.S.C. § 3161(b), the government is obligated to seek an indictment by August 13, 2021.
4. The parties are in the process of attempting to resolve this case short of a trial. The parties require additional time, however, before such a determination can be made.
5. The extension of time until September 10, 2021 is requested to allow the parties sufficient time to consider a completed forensic examination before proposing a resolution to this case.
6. The defendant, though his attorney Miriam Conrad, assents to this request.
7. The government submits that the delay resulting from the extension of time for filing an indictment or information serves the ends of justice and outweighs the best interest of the public and Defendant in a speedy trial. As noted above, Defendant assents to the exclusion of time and will not be prejudiced by it.

WHEREFORE, the United States, with the assent of the Defendant, asks the Court to enter an Order, pursuant to 18 U.S.C. § 3161(b) and (h)(7), that extends the time within which an indictment or information must be filed in the above-captioned case until September 10, 2021, and moves that the period July 14, 2021 through September 10, 2021, be excluded from all Speedy Trial Act calculations.

Respectfully submitted,
NATHANIEL R. MENDELL
ACTING UNITED STATES ATTORNEY

By: /s/ Kristen M. Noto
Kristen M. Noto
Assistant U.S. Attorney

Dated: 8/2/2021

CERTIFICATE OF SERVICE

This is to certify that I have served counsel of record for the Defendant a copy of the foregoing document by email.

/s/ Kristen M. Noto
Kristen M. Noto
Assistant U.S. Attorney

Dated: 8/2/2021

The above motion is GRANTED, and the period July 14, 2021 through September 10, 2021, is hereby excluded from all Speedy Trial Act calculations.

SO ORDERED, this _____ day of _____, 2021.

HON. TIMOTHY S. HILLMAN
UNITED STATES DISTRICT JUDGE